

S.O. 1.73 Removal of a Case from State Court, Obligations of Removing Party

When a case is removed to this court from a court of the state under **28 U.S.C. 1441 et seq.**, it is necessary that the court have a complete record of the proceedings. Accordingly, it is the obligation of the party removing the case to file the following with this court within 30 days of the filing of the notice of removal:

1. A list of all attorneys involved in the case and the parties they represent;
2. Copies of all records and proceedings occurring in the State Court prior to removal, arranged by order of filing date;
3. A list of all documents included in the State Court record arranged by order of filing date;
4. A certificate by counsel that the above items constitute the entire State Court record.

If motions or exceptions were pending in the State Court at the time of removal, a motion must be re-filed in proper form in accordance with **LR 7** in this court. Counsel may adopt by reference a brief or memorandum previously filed in State Court. Failure to re-file a motion or exception will constitute their abandonment.

If funds are being held by the State Court for the benefit of the litigants, counsel for the removing party shall make arrangements to have such funds paid into the registry of this court. This applies only to what is commonly referred to as “registry funds”. Funds on deposit with the State Court to cover accrued costs should not be transferred to this court.